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SENATE BILL 1038

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Leonard Tsosie

AN ACT

**RELATING TO EDUCATION; SCHOOL BUS ROUTES MAINTAINED TO
ACCOMMODATE ALL STUDENTS IN SCHOOLS OF A DISTRICT.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. Section 22-16-4 NMSA 1978 (being Laws 1967,
Chapter 16, Section 222, as amended) is amended to read:**

**"22-16-4. SCHOOL BUS ROUTES--LIMITATIONS--EXCEPTIONS--
MINIMUM REQUIREMENTS.--**

**A. Bus routes shall be established by the local
school district.**

**B. Except as provided in Subsections C and D of
this section, no school bus route shall be maintained for
distances less than:**

**(1) one mile one way for students in grades
kindergarten through six;**

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(2) one and one-half miles one way for students in grades seven through nine; and

(3) two miles one way for students in grades ten through twelve.

C. In school districts having hazardous walking conditions as determined by the local school board and confirmed by the state transportation director, students of any grade may be transported a lesser distance than that provided in Subsection B of this section. General standards for determining hazardous walking conditions shall be established by the state transportation division of the department ~~[of education with the approval of the state board]~~, but the standards shall be flexibly and not rigidly applied by the local school board and the state transportation director to prevent accidents and help ensure student safety.

D. Exceptional children whose handicaps require transportation and three- and four-year-old children who meet the ~~[state board]~~ department approved criteria and definition of developmentally disabled may be transported a lesser distance than that provided in Subsection B of this section.

E. A local school district shall provide school bus transportation for any child attending the schools of the district regardless of whether the location of the student's residence is within or outside of the local school district.

F. School bus routes shall be maintained by a local

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1 school district pursuant to Subsection B of this section for
2 students residing within or outside of the local school
3 district, if the student attends a school of the local school
4 district. "